

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MASSACHUSETTS DEVELOPMENT FINANCE AGENCY,

Plaintiff

v.

ADP MARSHALL, INC., a FLUOR DANIEL COMPANY, and
FIREMAN'S FUND INSURANCE COMPANY,

Defendants

ADP MARSHALL, INC.,

Plaintiff-in-Counterclaim,

v.

MASSACHUSETTS DEVELOPMENT FINANCE AGENCY,

Defendant-in-Counterclaim

ADP MARSHALL, INC.,

Third-Party Plaintiff

v.

ALLIED CONSULTING ENGINEERING SERVICES, INC.,
ANDOVER CONTROLS CORPORATION, R&R WINDOW
CONTRACTORS, INC. and DELTA KEYSpan, INC. n/k/a
DELTA KEYSpan, LLC,

Third-Party Defendants

**ASSENTED TO MOTION TO ENLARGE THE TIME WITHIN WHICH TO RESPOND
TO MOTION FOR SUMMARY JUDGMENT**

The Third-Party Defendant, Allied Consulting Engineering Services, Inc. ("Allied"),
hereby moves this Court for a two week extension in which to respond to the plaintiff in

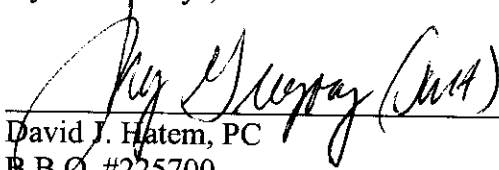
counterclaim, ADP Marshall Inc.'s ("ADPM"), motion for summary judgment. In support of its motion, Allied states as follows:

1. On December 17, 2004, counsel for Allied received an electronic notice of ADPM's motion for summary judgment.
2. The deadline for filing a response to ADPM's motion is December 31, 2004 according to the applicable rules of civil procedure.
3. Counsel for Allied has conferred with counsel for ADPM and has received a two week extension to file a response to ADPM's motion for summary judgment.
4. The parties have narrowed the issues in controversy through mediation and are currently cooperating to resolve the remaining issues in dispute.
5. The two week extension until January 14, 2005 will not prejudice any party and will assist this Court in the resolution of this matter.

WHEREFORE, the Third-Party Defendant, Allied Consulting Engineering Services, Inc. requests that this Court grant this motion and issue an order enlarging the time to respond to ADP Marshall, Inc.'s motion for summary judgment to January 14, 2005.


ASSENTED TO:

Respectfully submitted,
ALLIED CONSULTING ENGINEERING
SERVICES, INC.,
By its attorneys,


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Jay S. Gregory, Esquire
B.B.O. #546708
DONOVAN HATEM LLP
Two Seaport Lane
Boston, MA 02210
Tel: (617)406-4500

Dated: December 30, 2004

Respectfully submitted,
ADP MARSHALL, INC.,
By its attorneys,


Andrew J. Tine, Esquire
B.B.O. #633639
Haese, LLC
70 Franklin Street, 9th Floor
Boston, MA 02110
Tel: (617) 428-0266

Dated: December 30, 2004

CERTIFICATE OF SERVICE

I, Jeffrey W. Hallahan, Esquire, hereby certify that on this 20 day of December, 2004, I served the attached ***Assented to Motion*** by mailing a copy thereof, postage pre-paid to:

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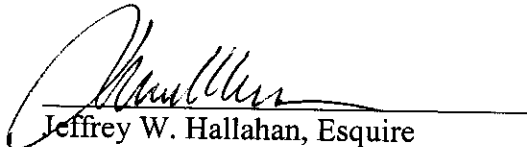
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